City of Las Vegas

REAL ESTATE COMMITTEE AGENDA

REAL ESTATE COMMITTEE MEETING OF: JULY 5, 2005

- CALL TO ORDER

MINUTES:

PRESENT: COUNCILMAN WOLFSON and COUNCILWOMAN TARKANIAN

Also Present: DEPUTY CITY ATTORNEY TERESITA PONTICELLO, DEPUTY CITY ATTORNEY STEVE HOUCHENS, ACTING REAL ESTATE MANAGER ROBIN YOAKUM, and DEPUTY CITY CLERK YDOLEENA YTURRALDE

- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge Court Clerk's Office Bulletin Board, City Hall Plaza Las Vegas Library, 833 Las Vegas Boulevard North Clark County Government Center, 500 S. Grand Central Parkway Grant Sawyer Building, 555 E. Washington Avenue (3:03)



AGENDA SUMMARY PAGE REAL ESTATE COMMITTEE MEETING OF: JULY 5, 2005

DEPARTMENT: BUSINESS DEVEL DIRECTOR: SCOTT D. ADAMS		X DISCUSSION		
SUBJECT: REPORT FROM REAL ESTATE COM	IMITTEE: Councilman Wolfson and C	Councilwoman Tarkanian		
Discussion and possible action regarding a License Agreement for Stewart Avenue Parking Garage located at 231 Las Vegas Boulevard between the City of Las Vegas and Martin-Harris Construction for the installation of a video camera to film construction of the Streamline Tower (Revenue of \$2,400) - Ward 5 (Weekly)				
Fiscal Impact:				
X No Impact	Amount:			
Budget Funds Available	Dept./Division:			
Augmentation Required	Funding Source:			

PURPOSE/BACKGROUND:

Martin-Harris Construction would like to install a webcam video camera on the 5th Floor of the Stewart Avenue Parking Garage in order to film the construction of Streamline Tower over a 24-month period. Martin-Harris Construction will install the camera to the facade of the garage adjacent to the existing U.S. Bank neon sign. Martin-Harris Construction will pay a lump sum fee of \$2,400 for use of the premises, general liability insurance coverage, and pay the City a security deposit of \$1,000 which is refundable following removal of the camera and any clean-up.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

License Agreement for Stewart Avenue Parking Garage

MOTION:

COUNCILWOMAN TARKANIAN recommended Item 1 be forwarded to the Full Council with a "DO PASS" recommendation. COUNCILMAN WOLFSON concurred.

MINUTES:

COUNCILMAN WOLFSON declared the Public Hearing open.

SCOTT ADAMS, Director of Business Development, explained the license agreement is to allow the developers of Streamline Tower to place a camera on level 5 of the Stewart Avenue garage. It would be for two years commencing July 1, 2005 through July 1, 2007 for a rental fee of \$100 per month. This would allow video of the progression of their construction so they could have a time-lapse photographic memory of construction. He recommended approval.

TOM McGOWAN, Las Vegas resident, questioned where the finished product would be displayed and who owns the product conclusively. MR. ADAMS stated the ownership of the video is not definite but could be either Streamline Tower or Martin-Harris Construction who is the contractor for Streamline Tower. He confirmed there is no cost to the City but rather revenue of \$2,400 to allow them to have a camera in the garage.



REAL ESTATE COMMITTEE MEETING OF: JULY 5, 2005

MINUTES - Continued:

STEVE FORD, Manager of Facilities Management, confirmed the camera would be broadcast via their website to allow purchasers to view the progress of construction for their condominiums.

MR. McGOWAN posed many questions, which MR. ADAMS was not prepared to answer. COUNCILMAN WOLFSON suggested MR. ADAMS explore the questions and detail the requested information at the Council Meeting. DEPUTY CITY ATTORNEY TERI PONTICELLO stated that the item would need to be pulled forward from the Consent portion of the City Council's agenda to address these concerns. MR. ADAMS assured the committee his due diligence in returning before Council with more details.

No one appeared in opposition.

COUNCILMAN WOLFSON declared the Public Hearing closed. (3:03 - 3:09)
1-6



REAL ESTATE COMMITTEE MEETING OF. JULY 3, 2005				
DEPARTMENT: PUBLIC WORD DIRECTOR: RICHARD GOD		CONSENT	X DISCUSSION	
SUBJECT:	COMMITTEE CO	unailman Walfson and	Councilwomen Terkenien	
REPORT FROM REAL ESTATE COMMITTEE - Councilman Wolfson and Councilwoman Tarkanian Discussion and possible action regarding a Grant of Easement from the City of Las Vegas to Nevada Power Company to cancel and supersede the Right of Entry previously on record and continue to allow Nevada Power Company access to the site for electrical systems needs at APN 139-27-805-001 commonly known as the Las Vegas Metro Police Department (LVMPD) Downtown Area Command				
located at 621 North 9th Street - Wa Fiscal Impact: No Impact Budget Funds Available	Amount: Dept./Division	n:		

PURPOSE/BACKGROUND:

Augmentation Required

This Grant of Easement cancels and supersedes the Right of Entry previously on record and will continue to allow Nevada Power Company access to the site for electrical facilities needs.

Funding Source:

RECOMMENDATION:

Staff recommends approval

BACKUP DOCUMENTATION:

- 1. Grant of Easement
- 2. Recorded Right of Entry
- 3. Site Map

MOTION:

COUNCILWOMAN TARKANIAN recommended Item 2 be forwarded to the Full Council with a "DO PASS" recommendation. COUNCILMAN WOLFSON concurred.

MINUTES:

COUNCILMAN WOLFSON declared the Public Hearing open.

ROBIN YOAKUM, Division of Real Estate, stated the Right of Entry that is normally issued before the building is complete will be terminated in order to allow Nevada Power access to the site to construct necessary requirements for the facility. Upon completion of the facility, the Grant of Easement would supersede the Right of Entry, and she recommended approval.

TOM McGOWAN, Las Vegas resident, commented on the new location of the LVMPD Downtown Area Command and questioned what forethought has been given into making this site more accessible by public transportation. Metro serves the needs and convenience of the public and should be conveniently located. MS. YOAKUM stated this location was chosen because the City already owns the property and there would be no fiscal impact to the City.

No one appeared in opposition.

COUNCILMAN WOLFSON declared the Public Hearing closed.



REAL ESTATE COMMITTEE MEETING OF: JULY 5, 2005

$\frac{\textbf{MINUTES - Continued:}}{(3:09-3:13)}$



REAL ESTATE COMMITTEE MEETING OF GULT 5, 2005				
	RTMENT: PUBLIC WORKS CTOR: RICHARD GOECK	E CONSENT X DISCUSSION		
SUBJI REPO		MITTEE - Councilman Wolfson and Councilwoman Tarkanian		
Discussion and possible action regarding a Grant of Easement from the City of Las Vegas to Nevada Power Company to cancel and supersede the Right of Entry previously on record and continue to allow Nevada Power Company access to the site for electrical systems needs at APN 138-14-402-001 commonly known as Fire Station #43 located at 6420 Smoke Ranch Road - Ward 6 (Mack)				
Fiscal Impact: X No Impact Amount: Budget Funds Available Dept./Division:				
	Augmentation Required	Funding Source:		

PURPOSE/BACKGROUND:

This Grant of Easement cancels and supersedes the Right of Entry previously on record and will continue to allow Nevada Power Company access to the site for electrical facilities needs.

RECOMMENDATION:

Staff recommends approval

BACKUP DOCUMENTATION:

- 1. Grant of Easement
- 2. Recorded Right of Entry
- 3. Site Map

MOTION:

COUNCILWOMAN TARKANIAN recommended Item 3 be forwarded to the Full Council with a "DO PASS" recommendation. COUNCILMAN WOLFSON concurred.

MINUTES:

COUNCILMAN WOLFSON declared the Public Hearing open.

ROBIN YOAKUM, Division of Real Estate, stated that Fire Station 43 is located at Smoke Ranch Road and Torrey Pines Drive. The Right of Entry that is normally issued before the building is complete will be canceled in order to allow Nevada Power access to the site to construct necessary requirements for the facility. Upon completion of the facility, the Grant of Easement would supersede the Right of Entry, and she recommended approval.

No one appeared in opposition.

COUNCILMAN WOLFSON declared the Public Hearing closed. (3:13 - 3:14)



	ARTMENT: PUBLIC WORKS CTOR: RICHARD GOEC			
SUBJ REPO		MMITTEE - Councilman Wolfson and Councilwoman Tarkanian		
Discussion and possible action regarding an Agreement for the Purchase and Sale of Real Property between Priority One Commercial (on behalf of the City of Las Vegas) and Michael Weiss and Carmine White for the sale of 4086 Spring Leaf Drive at a price of \$185,000 - General Fund - County (near Wards 1 and 2 - Tarkanian and Wolfson)				
Fiscal	Impact:			
X	No Impact	Amount:		
	Budget Funds Available	Dept./Division:		
	Augmentation Required	Funding Source:		

PURPOSE/BACKGROUND:

The City acquired this property through default of the previous owner. Due to a previous commercial zoning issue, the sole 11/8/04 public auction bidder canceled escrow. The APN was marketed through Priority One Commercial (on behalf of the City) using a Letter of Intent whereby the highest qualified bidders were Michael Weiss and Carmine White for \$185,000 through their 5/20/05 offer.

RECOMMENDATION:

Staff recommends approval

BACKUP DOCUMENTATION:

- 1. Sales Agreement
- 2. 5/20/05 Letter of Intent
- 3. Disclosure of Principals

MOTION:

COUNCILWOMAN TARKANIAN recommended Item 4 be forwarded to the Full Council with a "DO PASS" recommendation. COUNCILMAN WOLFSON concurred.

MINUTES:

COUNCILMAN WOLFSON declared the Public Hearing open.

ROBIN YOAKUM, Division of Real Estate, explained this land was located in Clark County and many years ago, through default on the loan, the City obtained the land. The City has attempted to sell the land many times and now has an offer that is above appraised value.

TOM McGOWAN, Las Vegas resident, questioned the configuration of the property in terms of the area, and what particulars exist that attracted the buyer. MS. YOAKUM stated the property is located at Spring Leaf Drive and Flamingo Road, which is in the County. The property is not zoned for commercial use, and she is unaware of the buyer's intent for the property because the City has no jurisdiction for that location. She confirmed the City would not be burdened with outstanding utility negotiations and that the property is not scheduled for annexation.

No one appeared in opposition.



REAL ESTATE COMMITTEE MEETING OF: JULY 5, 2005

MINUTES - Continued: COUNCILMAN WOLFSON declared the Public Hearing closed.

(3:14 - 317)



DEPARTMI DIRECTOR	ENT: PUBLIC WORKS : RICHARD GOEC		CONSENT	X DISCUSSION
SUBJECT: REPORT FR	OM REAL ESTATE CO	MMITEEE - Counc	llman Wolfson and	Councilwoman Tarkanian
Vegas to the portions of A		District for drainage monly known as Cer	pipeline, ingress an ntennial Hills Com	ay from the City of Las and egress purposes to service munity Center located in the
Fiscal Impac	et:			
X No In	npact	Amount:		
Budg	et Funds Available	Dept./Division:		
Augn	nentation Required	Funding Source:		
A necessary pipeline, ingr	ess and egress purposes to			125-21-701-011 for drainage Center.
	OCUMENTATION: asement and Rights-of-W	ay		
"DO PASS"	VOMAN TARKANIAN recommendation. COU			to the Full Council with a
MINUTES: COUNCILM	AN WOLFSON declared	the Public Hearing	open.	
	AKUM, Division of Real ills Community Center.			nents will be to service the
No one appea	ared in opposition.			
COUNCILMAN WOLFSON declared the Public Hearing closed. (3:17 - 3:18) 1-429				



AGENDA SUMMARY PAGE REAL ESTATE COMMITTEE MEETING OF: JULY 5, 2005

DEPARTMENT: PUBLIC WORKS DIRECTOR: RICHARD GOECKI	E CONSENT	X DISCUSSION			
SUBJECT: REPORT FROM REAL ESTATE COMMITTEE - Councilman Wolfson and Councilwoman Tarkanian					
Discussion and possible action regarding a Grant, Bargain, Sale Deed whereby Greystone Nevada, LLC, grants approximately 9,058 square feet of land to the City of Las Vegas located in the vicinity of Iron Mountain Road and Jones Boulevard, APNs 125-01-490-001 and -002 - County (near Ward 6 - Mack)					
Fiscal Impact:					
X No Impact Amount:					
Budget Funds Available	Dept./Division:				
Augmentation Required 1	Funding Source:				

PURPOSE/BACKGROUND:

Greystone Nevada, LLC requested to issue the City of Las Vegas a Grant, Bargain, Sale Deed for approximately 9,058 square feet of a multi-use trail system located at Iron Mountain Road and Jones Boulevard, APN's 125-01-490-001 and -002 as required by State law for recreational trail development for multi-use trail purposes.

RECOMMENDATION:

Staff recommends approval

BACKUP DOCUMENTATION:

- 1. Grant, Bargain, Sale Deed
- 2. Site Map

MOTION:

COUNCILWOMAN TARKANIAN recommended Item 6 be forwarded to the Full Council with a "DO PASS" recommendation. COUNCILMAN WOLFSON concurred.

MINUTES:

COUNCILMAN WOLFSON declared the Public Hearing open.

ROBIN YOAKUM, Division of Real Estate, explained that Greystone Nevada is deeding land to the City for the multi-use trail system. She recommended approval.

TOM McGOWAN, Las Vegas resident, questioned who the owners are of Greystone Nevada, LLC and the location of their corporate offices. MS. YOAKUM stated they are a limited liability company out of Delaware and Tim Kent is their authorized agent. MR. McGOWAN posed many questions about the owners and urged the City to have that information researched and available to the public for future items.

No one appeared in opposition.

COUNCILMAN WOLFSON declared the Public Hearing closed. (3:18 - 3:20)



AGENDA SUMMARY PAGE REAL ESTATE COMMITTEE MEETING OF: JULY 5, 2005

	KERE ESTRIE COMMITTEE MEE	TIMO OLI GODI	5, 2 005
	BUSINESS DEVELOPMENT SCOTT D. ADAMS	CONSENT	X DISCUSSION
SUBJECT: REPORT FROM	REAL ESTATE COMMITTEE - Counc	cilman Wolfson and	Councilwoman Tarkanian

Discussion and possible action regarding an agreement between the City of Las Vegas and Golf Club of Illinois, Inc., an Illinois corporation, to Release Land Use Condition and To Cancel Water Provision Agreement for APNs 161-09-801-002 and 161-10-202-001 located at the northeast, southeast and southwest corners of Vegas Valley Drive and the alignment of Stephanie Street, Las Vegas, Clark County, Nevada (Revenue of \$2,584,984.00 allocated to the Sanitation Enterprise Fund and \$4,615,016.00 allocated to City Facilities Capital Project Fund) - All Wards

Fiscal Impact:				
X	No Impact	Amount:		
	Budget Funds Available	Dept./Division:		
	Augmentation Required	Funding Source:		

PURPOSE/BACKGROUND:

To release land use condition requiring property to be used only as a golf course for proposed single-family residential development and cancel existing water provision agreement. Proceeds shall be distributed as follows: \$2,584,984.00 for Sanitation Enterprise Fund reimbursement and \$4,615,016.00 allocated to City Facilities Capital Project Fund.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

- 1. Agreement to Release Land Use Condition and To Cancel Water Provision Agreement
- 2. Site Map

MOTION:

COUNCILWOMAN TARKANIAN recommended Item 7 be forwarded to the Full Council with NO recommendation. COUNCILMAN WOLFSON concurred.

MINUTES:

COUNCILMAN WOLFSON declared the Public Hearing open for Item 7 and Item 8.

SCOTT ADAMS, Director of Business Development, stated that Item 7 and Item 8 are companion items. Item 7 supports the cancellation of the water provision agreement and Item 8 amends the water provision agreement to re-designate credits to another entity.

Concerning Item 7, he stated that the agenda summary page indicated a recommendation of approval, but staff does not have a business recommendation. The item consists of packaging for an unsolicited offer to the City for the release of the deed restriction that was placed on the land in 1988 when it was purchased from the City. At that time, Golf Club of Illinois Inc. purchased the 160 acres of land from the City subject to a deed restriction that limited the development of that property to golf course use.

The price on that land was just over \$5 million, approximately 10 percent of what was considered fair market value. In exchange, the proposal is to release the deed restriction and then bring it forward



REAL ESTATE COMMITTEE MEETING OF: JULY 5, 2005

MINUTES - Continued:

subject to a 6 percent investment rate, which would total a value of nearly \$7.2 million.

Under the proposed terms of the deal, Golf Club of Illinois Inc. would go into escrow for one year with \$500,000 down as an earnest money deposit and escrow. They would have a one-year escrow period to seek entitlements to develop the property without the restriction to its intended use. The property is not located in the City and is immediately adjacent to a Waste Water Treatment Plant owned by the City in unincorporated Clark County. They plan to convert the site to a single family sub-division. They would be at risk during the one-year period because if they were unable to obtain those entitlements, the City would keep the escrow deposit.

MR. ADAMS described the conditions of release that the City outlined as part of the project. In consideration of odor emissions, the City required a setback as a buffer and that Golf Club of Illinois build a 10-foot high block wall along the east property line adjacent to the buffer. These requirements would provide a physical buffer and a visual buffer separating the plant from any prospective single-family development that could occur on the adjacent site.

If the property owner is successful in receiving entitlement from the County, they would need to move forward with the purchase and pay the remainder of escrow to take full, unrestricted title to the site. He referred to the site renderings to confirm the actual setback lines. The setbacks would be 80 feet on the sides that are predominantly vacant and 20 feet on the Waste Water Treatment side. Most importantly, the area of the site that potentially contributes to the emission of odor would have the widest setback.

At the time the golf course was built, the City provided treated wastewater to this property. The City now needs to cancel that agreement and no longer provide water to this site under that agreement. COUNCILWOMAN TARKANIAN confirmed with MR. ADAMS that the water rights originally given with the property would be reverted to the City.

MR. ADAMS explained that Item 8 amends the water agreement by eliminating the provision of water to the Links Golf Course and only providing any remaining credits under the agreement to the Stallion Mountain Golf Course. Both golf courses were provided water under the original agreement and they would want those credits to continue to the Stallion Mountain Golf Course; however, Links Golf Course no longer needs water because their intent is to develop the land as a single-family development. The relinquishment of the water right to the golf course would occur during the escrow process at which time they would provide two executed originals of the cancellation agreement. Should they be unsuccessful in obtaining their entitlements during that one-year escrow process, they would not deliver executed copies of the cancelled agreement and the water rights would continue.

COUNCILWOMAN TARKANIAN questioned if the City is able to track how much water is distributed to each golf course and if the City would obtain half of it. MR. ADAMS was unable to confirm if there is a meter system that tracks the amount of water, but clarified that instead of providing treated wastewater to two golf courses, the City would continue to provide water to one.

TOM McGOWAN, Las Vegas resident, stated there is a great deal of complexity to these issues and is heartened to know that MR. ADAMS investigated the background of the items in detail. He complimented DEPUTY CITY ATTORNEY TERI PONTICELLO for appropriately advising the



REAL ESTATE COMMITTEE MEETING OF: JULY 5, 2005

MINUTES - Continued:

committee members about companion items.

No one appeared in opposition.

COUNCILMAN WOLFSON declared the Public Hearing closed for Item 7 and Item 8. (3:20 - 3:35) 1-530



DEPARTMENT: BUSINESS DEV DIRECTOR: SCOTT D. ADA		CONSENT	X DISCUSSION			
SUBJECT: REPORT FROM REAL ESTATE C						
Golf Club of Nevada, Inc., a Nevada	Discussion and possible action regarding First Amendment Agreement between the City of Las Vegas and Golf Club of Nevada, Inc., a Nevada Corporation, to amend the Stallion Mountain Golf Course Water Provision Agreement dated December 8, 1997 - All Wards					
Fiscal Impact: X No Impact Amount: Budget Funds Available Dept./Division: Augmentation Required Funding Source:						
PURPOSE/BACKGROUND: To transfer all remaining water delivery credits to Golf Club of Nevada, Inc., to be used at the Stallion Mountain Golf Course.						
RECOMMENDATION: Approval						
BACKUP DOCUMENTATION: First Amendment To Stallion Mount	ain Golf Course Wat	er Provision Agreem	ent			
MOTION: COUNCILWOMAN TARKANIA NO recommendation. COUNCIL			to the Full Council with			
MINUTES: NOTE: See Item 7 for all related dis (3:20 - 3:35) 1-530	cussion.					

City of Las Vegas

AGENDA SUMMARY PAGE

REAL ESTATE COMMITTEE MEETING OF: JULY 5, 2005

CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE COMMITTEE. NO SUBJECT MAY BE ACTED UPON BY THE COMMITTEE UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

MINUTES:

TOM McGOWAN, Las Vegas resident, submitted a written statement of his comments which also included comments pertaining to the Recommending Committee Meeting. (3:36)

1-1055

THE MEETING ADJOURNED AT 3:39 P.M.

Respectfully submitted:

YDOLEENA YTURRALDE, DEPUTY CITY CLERK July 13, 2005

TM (AS RECOMMEDIANS CHEE MTG JUP THES, 5 MAY, OS (80 FLA) (CH. CAM S. W. L. TANKANIAN.

CH. PANTIO.

TOM McGoway - LAS VEGAS RESIDENT. "HAPPY INDEPENDENCE DAY!"

WHENERS ~ THE CITY OF LAS VEGAS IS AGGRESSIVELY ENGAGED IN

COMMUNITY DEVELOPMENT AND REDEVELOPMENT, AND WHENEAS: ~ THE RECENT

RULING OF THE UNITED STATES SUPREME COURT REGARDING "EMINENT

DOMAIN" FORSEEABLY MAY (OR WILL) ADVENSLY IMPACT THE

CONSTITUTIONALLY-GUARANTEED SECURE INALIENABLE RIGHT OF

OWNERSHIP OF PRIVATE PROPERTY BY RESIDENTS OF THE CITY OF LAS

VEGAS (AND ELSEWHENE NATIONALLY); THENEFORE: ~

THE MAYOR OSCAR B. GOODMAN CHAINED LAS VEGAS CITY COUNCIL AND
REVEVELOPMENT AGENCY TIMELY AGENTALTEMIZE AND UNANIMOUSLY ADOPT
A RESOLUTION SPECIFICALLY DESIGNED AND INTENDED TO PROTECT THE
INALIENABLE RIGHT OF OWNERSHIP OF PRIVATE PROPERTY BY
RESIDENTS OF THE CITY OF LAS VEGAS, NEURODA, SECURE, FROM
UNFAIR AND INEQUITABLE INTRUSION BY FORMIDARLY AFFLUENT LIMITED
SPECIAL INTENESTS, AND BY POLÍTICAL, BUNEAUCRATIC ANDON ECONOMIC
EXPEDIENCY-DRUEN, ELECTED AND APPOINTED PUBLIC OFFICIALS AND PUBLIC
EMPLOYEES IN FURTHER MICE OF A WHOLLY SUBTRECTIVE AGENDA IMPACTIVE
OFFICIALS AND PUBLIC INTENEST, INCLUSIVELY-

THE COMMENSURATE VISION OF A BRIGHT FUTURE: ~ "BIRDS DREAM; ~

CROCODILES DON'T" ~ AND IT REMAINS FOR RESPONSIBLE, TNDEPENDENT AND LAW-ABIDING PUBLIC OFFICIALS TO ENSURE THAT "GOVERNMENT OF, 34 NO BRTHE PEOPLE

SHALL NOT PERISH FROM THE EARTH," THANK YOU.

(SIBITED NO REQUESTED WILLISED IN THE MEETING MINUTES).